

EXHIBIT C

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January 23, 2006

VIA E-MAIL and FIRST CLASS MAIL

Christine J. Siwik, Esq.
Rakoczy Molino Mazzochi Siwik LLP
6 West Hubbard Street, Suite 500
Chicago, IL 60610

Re: In re: '318 Patent Infringement Litigation; Civil Action No.
05-356-KAJ (consolidated)

Dear Ms. Siwik:

Over four months ago, we served on you plaintiffs' First Set of Requests for Documents and Things. With respect to several of plaintiffs' requests, Mylan has either refused to produce responsive documents or failed to produce them despite its agreement to do so. Because the disputes described below have existed for some months now and because it appears that the issues are joined for resolution by the Court, we intend to call Chambers on Thursday, January 26, 2006 to schedule a telephone conference call to resolve these disputes, as provided for by the Scheduling Order. If Mylan intends to change its position and produce immediately all responsive documents, I would appreciate a call by no later than the close of business Wednesday, January 25 so as to avoid imposing on the Court unnecessarily.

Specifically, we have not yet received documents responsive to a number of requests that are pertinent to secondary considerations of nonobviousness of the '318 patent at least as well as to the issue of willful infringement. The following document requests are in dispute:

Request No. 20: "All documents relating to the '318 patent, including without limitation (a) any evaluation, analysis, or discussion relating to the '318 patent; (b) communications between Mylan and any third party concerning the '318 patent."

Mylan's Response and Plaintiffs' Effort to Resolve this Dispute: We first voiced concerns related to Mylan's response to this request by letter on October 13, 2005, and the parties conducted a telephonic conference to discuss the matter on October 17, 2005. The parties exchanged correspondence thereafter, and we understand that

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Mylan's final position – namely, that Mylan will limit any production to documents that Mylan unilaterally determines relate to the validity or enforceability of the '318 patent – to be set forth in your December 7, 2005 letter to my colleague, Laura McNeill. And it appears that Mylan's production is limited to only the '318 patent, its file history, and a few references. As we have stated previously, plaintiffs believe that this limitation is unacceptable and thus we believe that the issue is joined for resolution by the Court.

Request No. 3.d.: "... documents relating to the decision to file [the ANDA]"

Mylan's Response and Plaintiff's Effort to Resolve this Dispute: As with the concerns related to Request No. 20, we first voiced concerns concerning this request by letter on October 13, 2005, and the parties thereafter conducted a telephonic conference to discuss the matter on October 17, 2005. The parties exchanged correspondence thereafter, and we understand that Mylan's final position – that it will only produce ANDA-related documents that Mylan unilaterally decides relate to infringement and validity – to be set forth in its October 24, 2005 letter to my colleague, Laura McNeill. To date, only the Mylan ANDA has been produced and not any other documents related to it, which falls short of the production of documents responsive to this request. It thus appears that this issue is also joined for resolution by the Court.

Request No. 16: "All documents relating to Mylan's ... Notice of Paragraph IV Certification to [plaintiffs]...."

Mylan's Response and Plaintiffs' Effort to Resolve this Dispute: Our October 13, 2005 letter also raised question concerning the sufficiency of Mylan's response to this request, and it was discussed further during the telephonic conference on October 17, 2005. The parties exchanged correspondence thereafter, and we understand that Mylan's final position – again, that it will only produce documents that Mylan unilaterally determines relate to infringement and validity – to be set forth in its October 24, 2005 letter to my colleague, Laura McNeill. As with Request No. 16, we have only received the Mylan ANDA and no other ANDA-related documents that are responsive to this request. It thus appears that this issue is joined for resolution by the Court.

Request No. 17: "All documents relating to the analysis or evaluation for any purpose of my drug product containing galantamine or any salt thereof, including but not limited to Janssen's RAZADYNE®/REMINYL® products."

Mylan's Response and Plaintiffs' Effort to Resolve this Dispute: We first voiced concerns concerning this request by way of our October 13, 2005 letter, and the parties thereafter conducted a telephonic conference to discuss the matter on October 17, 2005. The parties exchanged correspondence thereafter, and we understand that Mylan's final position – again, that it will only produce documents that Mylan unilaterally

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determines relate to infringement and validity – to remain unchanged from its original responses. In any event, we have received no responsive documents from Mylan. It thus appears that this issue is joined for resolution by the Court.


Request Nos. 4 and 10: All documents relating to the research and development of any galantamine product or any product intended to treat Alzheimer's disease.

Mylan's Response and Plaintiffs' Effort to Resolve this Dispute: As with our other requests, we first voiced concerns concerning these requests by our October 13, 2005 letter, and then conferred with you by phone on October 17, 2005. Again, Mylan's final position – that it will only produce documents that Mylan unilaterally determines relate to infringement and validity – remains unchanged from its original responses (and, no responsive documents have been produced). It thus appears that this issue is joined for resolution by the Court.

* * *

Given the lengthy passage of time and our previous correspondence concerning these document requests, we consider our meet-and-confer obligations to have been satisfied. Moreover, because it is clear that the parties disagree as to what Mylan must do to comply with its discovery obligations in this case, we have no choice but to seek judicial resolution of these disputes. Again, if our understanding of Mylan's position is incorrect and intends to produce promptly documents responsive to these requests, please let me know by no later than the close of business January 25.

Sincerely,



Kurt G. Calia

cc: All defense counsel (via email; see attached service list)
Steven Balick, Esq. (via email)

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